

**MINUTES
REGULAR CITY COUNCIL
CITY OF GREY FOREST, TEXAS
GREY FOREST COMMUNITY CENTER
18249 SHERWOOD TRAIL
HELOTES, TX 78023
July 27, 2021, 6:30 PM**

I. CALL TO ORDER

Mayor Thornton called the meeting to order at 6:30 p.m.

II. ROLL CALL

Mayor Charles M. Thornton Jr., Mayor Pro Tem Geri Poss, Council Member Jennifer Nottingham, Council Member Susan Darst, Council Member Sean Skaggs, and Council Member Kimberly Verity

Staff Present: City Attorney Ryan Henry, City Secretary Miguel Cantu, Chief of Police Rene Rodriguez, Administrative Assistant Nichole Heinrich-Gomez, and SGT Scott Ristow

III. PLEDGE OF ALLEGIANCE AND INVOCATION

The meeting commenced with the Pledge of Allegiance.

IV. PRESENTATIONS BY CITIZENS AND VISITORS

Ms. Mandy Waldrop requested to address the City Council. She stated that the home on the south end of Scenic Loop Road was not in the city limits and is on city water. Additionally, she mentioned that 150 acres of property was for sale and is concerned that the property would be divided into 300 homes. She asked how the city would keep non property owners away from the pool. She cited a deed mentioning that the property was for the sole enjoyment of the property owners both present and future; and asked what the city would do to support this clause or return the property back to the Scenic Loop Playground Club.

Dr. Sandra Schneider requested to address the City Council regarding the sign ordinance. She noted the population on the ordinance was not correct. She further addressed, sign definition, aesthetics, prohibited sign, and the placement of signs.

Ms. Madeline McCloskey requested to address the City Council regarding fences in the city and the holiday decorations. She stated that she appreciated that the idea the Code Compliance Officer would have a discussion with the property owner before the fence is put in place. Additionally, she mentioned she appreciated the decorations throughout the city on Fourth of July.

Mrs. Barbara Breazeale requested to address the City Council regarding the start of the school year. She asked to have some police presence at the bus stop near the four way stop signs. She asks the Police Department to make sure the kids make it safe on their way home. The majority of the kids on the bus are first to fifth graders.

Ms. Patricia Warr requested to address the City Council regarding the sign ordinance. She mentioned that an ordinance is not usually a way to connect people. She talked about the protection of property values and the ordinance does not protect that.

V. ANNOUNCEMENTS / REPORTS / MAYOR AND CITY EMPLOYEES**a) Mayor Announcements****1) Financials****2) June 2021 Check Detail'****3) Mailbox Update**

Mayor Thornton presented the future financials for June 2021 Check Details. Additionally, the Mayor provided an update on the completion of the mailboxes. Currently, the city is waiting for the installation of the handrails for the handicap accessibility and the installation of the locks to the mailboxes. The projection for completion of the mailboxes would possibly be late August.

b) Council/Staff Announcements: Council Member Darst reported that the Emergency Management Plan committee had met and would provide a report at the next City Council Meeting.

c) Committee Announcements/Reports: None

d) Grey Forest Community Board Update: Mayor Thornton called on Ms. Madeline McCloskey. Ms. McCloskey reported there was a new kiosk located at the entrance of the community center. Additionally, a backboard would be donated to be placed at the tennis courts to allow residents to play tennis alone. A questionnaire for citizens is being created to find out what citizens would like to see in their parks. Small signs are also being created for the small pocket parks to identify their locations. She also expressed that the Fourth of July Celebration had a nice turnout. She also mentioned that she talked with the Police Department regarding the issues of non-residents at the swimming hole. Wristbands are available for purchase at City Hall for non-residents and for free for residents.

e) Senator Frank L. Madla Natural Area Update: Council Member Nottingham reported they pulled Johnson grass, common sunflowers, and King Ranch Bluestem weeds from the park. The prairie area will remain closed until all the grasses seed because there are some wildflowers that they would like to see return. Additionally, the park has made some profit from photographers and thanked photographers for complying with the rules.

f) Board of Adjustment Update: None

g) Police Department Monthly Report: Mayor Thornton called on Chief Rodriguez. Chief Rodriguez reviewed the Police Department Monthly Report for June 2021. He also reported the Police Department received additional grant funds, the Emergency Management Plan committee met, and the City had received a kind donation from H.E. Graves Family Foundation in the amount of \$500.00.

h) Public Works Monthly Report: Mayor Thornton presented the Public Works Monthly Report provided by Mr. Jay Shipley.

i) Fire Department Monthly Report: ESD #8 Facilities Manager Mr. Don Reddout provided a report for City Council's review. Mr. Reddout announced that the fire station received the Texas State Fire Marshal's Office Award of Achievement Class 02 for the City of Grey Forest.

j) Grey Forest Utilities Update: Mayor Thornton stated the water report was provided as City Council requested. He also reported GFU was still waiting for the arrival of the generator scheduled to arrive in October.

VI. PUBLIC HEARING

a) None

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

VII. CONSENT AGENDA

a) Approval of Minutes: June 10, 2021 Special Meeting, June 27, 2021 Regular Meeting, and July 15, 2021 Special Meeting

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO APPROVE THE

MINUTES FOR JUNE 10, 2021 SPECIAL MEETING, JUNE 27, 2021 REGULAR MEETING, AND JULY 15, 2021. COUNCIL MEMBER SKAGGS SECONDED THE MOTION. COUNCIL VOTED 5-0.

VIII. NEW BUSINESS

- a) **Discuss and take possible action to authorize the Mayor to enter into a contract with Armstrong, Vaugh, & Associates, P.C. to perform the audit for the Fiscal Year 2020-2021 and 2021-2022 financial activity and prepare the annual financial report for the City of Grey Forest.**

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH ARMSTRONG, VAUGHN, & ASSOCIATES, P.C. TO PERFORM THE AUDIT FOR THE FISCAL YEAR 2020-2021 AND 2021-2022 FINANCIAL ACTIVITY AND PREPARE THE ANNUAL FINANCIAL REPORT FOR THE CITY OF GREY FOREST. COUNCIL MEMBER VERITY SECONDED THE MOTION. COUNCIL VOTED 5-0.

- b) **Discuss and take possible action on Ordinance 2021-07-08, an ordinance of the City Council of the City of Grey Forest, Texas, amending the City of Grey Forest Code of Ordinances, Chapter 9, "Personnel," Article 9.02 entitled "Police Department," by adding Division 3 providing for the establishment of a Police Reserve Force; providing a severability clause, providing for engrossment and enrollment; providing for publication; and providing an effective date.**

Council Member Darst suggested the addition of Assistant Chief to 9.03.006 Police Reserve Force "the police reserve force shall be appointed by the police chief", questioned (e) on call service, and the City Council's role in hiring of reserve officers. Attorney Henry asked Council Member Darst if she would like to make an amendment to the ordinance. Council Member Darst declined to make a motion amending the ordinance.

MOTION WAS MADE BY MAYOR PRO TEM POSS TO ACCEPT THE ORDINANCE 2021-07-08, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREY FOREST, TEXAS, AMENDING THE CITY OF GREY FOREST CODE OF ORDINANCES, CHAPTER 9, "PERSONNEL," ARTICLE 9.02 ENTITLED "POLICE DEPARTMENT," BY ADDING DIVISION 3 PROVIDING FOR THE ESTABLISHMENT OF A POLICE RESERVE FORCE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE AS WRITTEN. COUNCIL MEMBER SKAGGS SECONDED THE MOTION. COUNCIL VOTED 3-1-1. COUNCIL MEMBER DARST AGAINST AND COUNCIL MEMBER VERITY ABSTAINED.

- c) **Discuss and take possible action on the approval of Reserve Officers to the approved list.**

THE RESERVE OFFICER LIST INCLUDED:

Frank Francis	Matthew Cadle	James Perdue
Jose Morin	Raymond Yee	Jorge Carmona
Lalo Gutierrez	Fernando Jimenez	Joy Renagel
Bill Stannard	Scott Sharp	Rudy Zapata
Jeff Bailey	Tom Peters	Joseph Martinez
Carlos Taboada	Gary Mound	Roy Rodriguez
Holli Schroller	Daniel Pue	Randall Sanders
Henry Lopez	Robert Chavez	Jesse Uribe
Gary Albrecht	Ezra Bailey	John Flores
David Wessels	Tony Garcia	Jesse Oliva
Jesse Ambriz	Marth Esparza	William Hilt

Paul Ducate
Mike Russo
Charles Marcus
Henry Delgado
Jacob Wessels
Justin Bush
Pete Thompson
Ken Mahl

Marcus Hix
Robert Bell
Henry Flores
Elmer Williams
Maria Torres
Nicoial Esquivel
David Luevano
Alfredo Medina

Rubi Tobar
William Dasicalos
Robert McCaskill
Harold Ristow
Luther
Vanlandingham

MOTION WAS MADE BY MAYOR PRO TEM POSS TO APPROVE THE RESERVE OFFICERS TO THE APPROVED LIST. COUNCIL MEMBER SKAGGS SECONDED THE MOTION. COUNCIL VOTED 3-1-1. COUNCIL MEMBER DARST AGAINST AND COUNCIL MEMBER VERITY ABSTAINED.

IX. UNFINISHED BUSINESS

- a) **Discuss and take possible action on Ordinance 2021-07-09; an ordinance establishing Chapter 15 – Signs of the City of Grey Forest Code of Ordinances, providing for regulations on non-traffic control signs, licenses, and permits, and providing for civil and criminal penalties.**

During the discussion of the City Council the following amendments were made:

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO REMOVE "WHEREAS, THE CITY COUNCIL FINDS THE POPULATION OF THE CITY IN 2018 WAS APPROXIMATELY 554; AND" FROM THE PROPOSED ORDINANCE. COUNCIL MEMBER VERITY SECONDED THE MOTION. COUNCIL VOTED 5-0.

MOTION WAS MADE BY COUNCIL MEMBER DARST TO ADD AS DETERMINED BY POLICE DEPARTMENT CHIEF TO Notwithstanding any other provision of this chapter, no sign shall be erected, displayed, or allowed to remain where such sign creates confusion, impairs hearing or vision, or otherwise distracts or poses a potential danger or threat of danger to automotive drivers and pedestrians using any public street TO READ Notwithstanding any other provision of this chapter, no sign shall be erected, displayed, or allowed to remain where such sign creates confusion, impairs hearing or vision, or otherwise distracts or poses a potential danger or threat of danger to automotive drivers and pedestrians using any public street; as determined by the Police Department Chief. MAYOR PRO TEM POSS SECONDED THE MOTION. MOTION CARRIED 5-0.

MOTION WAS MADE BY MAYOR PRO TEM POSS TO ADD "SALE OF HOUSE" TO *Event Sign means a sign that displays any message directing attention to a social occasion or activity* TO READ *Event Sign means a sign that displays any message directing attention to a social occasion, activity, or sale of house.* COUNCIL MEMBER NOTTINGHAM SECONDED THE MOTION. COUNCIL VOTED 5-0.

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO REMOVE "OF COURSE" TO *Mobile Billboard means a sign installed or displayed on a motorized vehicle or a trailer which is parked or located in the public right-of-way for the primary purpose of displaying said sign. The term does not include a sign that is displayed on a vehicle operated in the normal course of the vehicle owner's business, if the sign contains advertising or identifying information directly related to the vehicle owner's business and is not parked or located in the public right-of-way for the primary purpose of advertising the business* TO READ *Mobile Billboard means a sign installed or displayed on a motorized vehicle or a trailer which is parked or located in the public right-of-way for the primary purpose of displaying said sign. The term does not include a sign that is displayed on a vehicle operated in the normal course of the vehicle owner's business, if the sign contains*

advertising or identifying information directly related to the vehicle owner's business and is not parked or located in the public right-of-way for the primary purpose of advertising the business. MAYOR PRO TEM POSS SECONDED THE MOTION. COUNCIL VOTED 5-0.

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO APPROVE ORDINANCE 2021-07-09, AN ORDINANCE ESTABLISHING CHAPTER 15 – SIGNS OF THE CITY OF GREY FOREST CODE OF ORDINANCES, PROVIDING FOR REGULATIONS ON NON-TRAFFIC CONTROL SIGNS, LICENSES, AND PERMITS, AND PROVIDING FOR CIVIL AND CRIMINAL PENALTIES. MAYOR PRO TEM POSS SECONDED THE MOTION. COUNCIL VOTED 4-1. COUNCIL MEMBER VERITY AGAINST.

- b) Discuss and take possible action on fences along municipal right of ways/roadways.**
Council Member Darst informed City Council that she would bring the agenda item back at a later date.

Mayor Thornton called on Ms. Becky Locke to address the City Council. Ms. Locke wished to address the City Council regarding the fence regulation. She stated that the City Council should reconsider regulating fences.

X. EXECUTIVE SESSION

The City Council of the City of Grey Forest convened in Executive Session at 8:27 p.m. in accordance with the Texas Open Meetings' Act, *Section 551.071* (Consultation with Legal Counsel).

- a) City Council will receive an update from the City Attorney regarding the status of the Scharf v. City of Grey Forest litigation pursuant to Texas Government Code Section 551.071 (consultation with legal counsel).**

The City Council of the City of Grey Forest reconvened in Open Session at 9:35 p.m. in accordance with the Texas Open Meetings' Act, *Section 551.071* (Consultation with Legal Counsel).

MOTION WAS MADE BY COUNCIL MEMBER NOTTINGHAM TO MOVE FORWARD WITH AN APPEAL. COUNCIL MEMBER DARST SECONDED THE MOTION. COUNCIL VOTED 3-2. MAYOR PRO TEM POSS AND COUNCIL MEMBER SKAGGS AGAINST.

XI. GENERAL ANNOUNCEMENTS & FUTURE AGENDA ITEMS REQUESTED

- a) None

XII. ADJOURNMENT

MOTION WAS MADE BY MAYOR PRO TEM POSS TO ADJOURN AT 9:36 P.M. COUNCIL MEMBER NOTTINGHAM SECONDED THE MOTION. COUNCIL VOTED 5-0.

PASSED AND APPROVED THIS 24TH DAY OF AUGUST, 2021.

APPROVED:



Charles Mitchell Thornton, Jr.

ATTEST:

A handwritten signature in blue ink, appearing to read 'Miguel Cantu', is written over a horizontal line.

Miguel Cantu, TRMC
City Secretary

